

8370

A

*W.P.*

NEW FRIEND

ON AN

OLD SUBJECT.

*By the Hon. Fred. Hervey.*

---

LONDON:

PRINTED FOR J. F. AND C. RIVINGTON,  
N° 62, ST. PAUL'S CHURCH-YARD.

M.DCC.XCI.

[Price One Shilling.]







---

---

A

NEW FRIEND, &c.

WHEN a great nation undergoes a revolution not only in government but in opinion and disposition, the eyes of every thinking man are naturally turned towards it to watch the effects of so important an event. — Amongst the various observers of the great and sudden subversion of a monarchy which had subsisted for ages, who have communicated their sentiments to the public, none seem to be so much attended to as Mr. Burke and Mr. Payne.—Both have written very much at large on a very interesting subject, and as they have interwoven their opinions on the British constitution with their reflections on the late transactions in France,

B

they



they deserve all the attention we can give them.

Though Mr. Burke's first book is written with considerable asperity, I think that Mr. Payne's has a much more serious blot, a want of candor.—He sets out by not only misrepresenting the arguments of his antagonist, but even by a false quotation of his words.—He \* states, that Mr. Burke cannot be a rational man, or a friend to mankind, (rather a severe charge) because in his publication on the affairs of France there is this passage :  
 “ Ten years ago I could have felicitated  
 “ France on her having a government, with-  
 “ out enquiring what that government was,  
 “ or how it was administered.” The public will be a little surprized at being informed that in Mr. Burke's book no such passage exists, and probably Mr. Payne never expected the real one to be confronted with it.—Here it is †,—“ Abstractedly speaking,  
 “ government as well as liberty is good—  
 “ yet could I in common sense ten years ago

\* Rights of Man, p. 23.

† Mr. Burke's first Pamphlet, 5th edition, p. 8.



“ have felicitated France on her enjoyment  
 “ of a government (for she then had a go-  
 “ vernment) without enquiring what that  
 “ government was, and how it was admi-  
 “ nistered—can I now congratulate the same  
 “ nation upon its freedom ?”—The reader  
 will make his own comment.—My object is  
 only to clear Mr. Burke from the imputation  
 of having delivered an opinion so little to his  
 credit ; for to felicitate a nation groaning  
 under an arbitrary government, carried on by  
 corrupt ministers, would indicate not only a  
 weak understanding, but a depraved one.—  
 Those who are acquainted with Mr. Burke,  
 know him to be incapable of offering such  
 insulting congratulations ; but those who live  
 in habits of friendship with him must feel in-  
 dignant at Mr. Payne’s ascribing to him such  
 a love of power as to rejoice at its existence,  
 in whatever hands it is placed. Such a pas-  
 sion cannot exist in the breast of a man so  
 professed an advocate for the limitation and  
 modification of all power—in a man as averse  
 to an uncontrouled democracy as to an un-  
 limited monarchy ; hereafter he will not re-  
 quire to be rescued from the imputation of  
 this forged sentence ; and when the gust of



party faction no longer pursues and irritates him, his character will appear unshaded by the frailties which necessarily obscure the imperfect lustre of human virtue. Posterity will know him only by the great and leading features of his life—in religious matters, firm in his persuasions, steady in his obedience, exalted in his hopes—in his political conduct, zealous and sincere, and not so much a partizan of any faction as a supporter of that well-regulated and balanced power which he has ever thought so essential to the welfare of his country—in domestic life, mild and amiable in the extreme—in friendship, cordial and unfluctuating.

I confess myself, that the first idea of millions of people gaining their liberty, and throwing off the yoke of despotism, gave me a mixt sensation of exultation and joy, that afforded me the greatest happiness. But when I saw their king a prisoner, and the mob so often the directors of their counsels, and so constantly the judges of their criminals, there was a total revolution in my feelings. The destruction of the nobility, and the confiscation of the church estates, served to increase



crease my mistrust of these new legislators. The first was a measure adopted merely to ingratiate themselves with the lowest order of the people. The second was a rash and impolitic remedy against public bankruptcy; to increase national credit they increased national property, but by the means they took of doing so, they have shaken the whole fabric of property to its foundation. God knows how long it may survive the shock. Hitherto we have only seen the fore-runners of ruin, increasing discontent, increasing emigration, increasing poverty; tribunals overturned, magistrates despised, and justice herself obliged to yield to the wild and cruel dictates of a ferocious populace. Oh! France, how strangely you have counteracted the acquisition of your liberty, and how deeply you have stained it with the exercise of that very tyranny which you boast of having subdued. The oath you require of your citizens is a direct renunciation of the oath of allegiance to the old government, which was either actually taken, or tacitly complied with, by the whole nation. Is it on perjury that you expect to build honor, fidelity and obedience? and yet you punish those who refuse to take it.—



it.—This is tyranny. The appropriation of the church estates was neither in consequence of the consent of the clergy, nor their crimes.—This is tyranny. The sentence of degradation passed on your nobility, was wholly undeserved by them—This is tyranny. The imprisonment and treatment of your king is not only contrary to law, but revolting to humanity—This is tyranny. If, alas! the power you have torn from the crown had fallen into hands that it had not corrupted; if the dignity of which you have stripped your aristocracy could have reverted into the hands of the people at large, given them worthier notions of the use of liberty, raised them in their own estimation, and infused a portion of nobility even into the lowest orders of your society; if the confiscation of the church estates had only served to repress the luxury of your clergy without infringing on their independence, if it had not introduced a set of pensioned priests, the mercenary and impious advocates of a legislature that were transferring the decorations of the altar to the tomb of Voltaire, and wasting the sacred spoils of religion in sacrilegious tributes to impiety and atheism; if there  
never



never had been required an oath of fidelity to these insulters of that omnipotent Being, in whose name and presence it is taken, your revolution might then indeed have been what its advocates in this country have called it, one of the greatest glories of the world! But how will the hearts of your children bleed to receive their liberty (if you are able to transmit it to them) stained with ingratitude, barbarity, and sacrilege. On the day on which your states-general met, all this might have been avoided. You were possessed of a legal mode of reformation. You had nobles willing to relinquish their invidious privileges, and clergy ready to assist the finances of their country, and a king (with a disinterestedness that has been but ill rewarded) in the very act of circumscribing his authority for the happiness of his people.

I know not by what refined sophistry your leaders prevailed upon you, under such circumstances, to prefer a revolution to a reform. In vain does Mr. Payne attempt to impress upon mankind, that rebelling against so mild and beneficent a monarch, constitutes one of the principal merits of your proceedings;



ings ; because, says he, it proves that the revolt was against the crown and not against the person who wears it. But when the delirium of your revolution is over ; when you are restored to the sober feelings of our compassionate nature, and discover that persons, as well as things, have places in our affections, and claims to our fidelity ; you will blush at the memory of your injured monarch ; you will grieve at having stript unassuming royalty of all its harmless decorations, and necessary prerogatives ; and almost prefer that dark and ignorant age, when power was imprudently lavished on your oppressors, to this enlightened era in which you have wrested it with insult from your benefactor.

But this new doctrine of estimating the merits of a revolt by the virtues of the deposed or imprisoned monarch, is not discordant from the feelings only, and though sanctioned by the authority of Mr. Payne, the French will have more important reasons for regretting its adoption. Their extorted concessions of the miserable remnants of the prerogatives of an indulgent and acquiescing king, were as impolitic as ungenerous. Whilst  
we



we continue to cherish feelings of gratitude, affection and honor, it is dangerous in the extreme to irritate and offend them; and it is as bad a policy (and perhaps a worse) to adopt a measure that revolts the heart, as one which is not sanctioned by the understanding.

History informs us, that when the elder Brutus liberated the Romans from the despotism of the wicked and profligate Tarquin, their lawful monarch, his vices had prepared the way to a revolution, by alienating the affections of his subjects: but if we turn to a later period, we shall see the glorious endeavours of the second Brutus, to free his country from the yoke of a usurper, wholly frustrated by the good and amiable qualities of the individual who had enslaved it. Far am I from saying, that a mild reign ought, at all events, to be submitted to. It may often be an excellent opportunity for undertaking a reform, but it must always be an ill-judged one for effecting a revolution.

Had the French aimed at annihilating their monarchy under the weak and dissipated reign

C

of



of Louis the XVth ; had they attempted to force the crown from his haughty and imperious predecessor, the opinions of mankind might have varied on the expediency of the measure, but the hearts of posterity would have forgiven them. Possibly Louis the XIVth might have revenged his cause, and crushed the outrage in its infancy. But the present King has neither the inclination nor the means. His subjects may evade punishment, but they cannot escape disgrace. History will record, to the latest periods, a benevolent and disinterested king, deprived of all authority—A liberal aristocracy, degraded by the people they had protected—A generous clergy ruined by those they had offered to assist ; and, as if the annihilation of nobility had extinguished the sentiments and principles which it represents, every law, both human and divine, neglected and despised—The standards of religion and morality, to which so many had been led by conscience, so many by example, almost totally deserted—The flame of faction and revenge, unfanned by religious zeal or civil war, blazing with more violence than ever it had raged with in the hottest moments of political convulsions—The people  
in



in full possession of their liberty, exercising upon their fellow-citizens, acts of more outrageous barbarity than ever had been offered to the most determined Infidels, by the most sanguinary and exasperated Bigots—Men of character condemned on the most trifling surmises—A magistrate, under the blot of supposed loyalty, murdered in the most cruel manner, and devoured by the bloody \* populace — Another citizen less mercifully † roasted before he was dispatched—‡ Mothers obliged to be the spectators of their children's blood, and even of their agony—And women publicly devouring the raw entrails of a human § victim.

Posterity will hardly believe, that individuals could have been found for the principal actors in scenes like these. But the inhabitants of Paris, Rouen, and Lyons, were

\* Lyons, August, 1791. † Lyons, August, 1791.

‡ At Paris it was frequent for the people to carry the victims of their rage, and present their mangled corpses to their nearest relations. At Lyons, when they roasted a man alive, they obliged his mother to be present, and afterwards beat her to death.

§ Rouen, 1790.



the witnesses and the spectators. What alas! could the nation expect, when it not only shook off the restraint of power, but the awe of religion. It could draw no conciliating balm from a clergy it had debased. It could find no resource in the imposing respectability of a legislature, which had Mirabeau for its leader, and Voltaire for its idol.

But these new advocates for the rights of men, with hearts too cold to be animated by a reform, and imaginations too heated to regulate a revolution, have neither principles nor conduct adapted to their situation. Instead of cherishing religion as the grand basis on which all human good must rest, they pay the most public honors to the most conspicuous Infidels that their country ever produced—Instead of leading their clergy from luxury to competence, and from competence to virtue and respect, they lower them from wealth to indigence, and from indigence to contempt—Instead of guarding against all infringement on property, both by precautions and example, they are themselves the first great violaters of its laws—Instead of  
build-



building a government on principles of duty, they make it the mere creature of inclination, and their king is to submit to it, or to be dethroned, as if no former compact had existed. As the representatives of the French nation, they think themselves an arbitrary body, independent of all laws, and subject to no controul. But this is a fatal error. They forget that even the sovereignty of the people, like all other mortal power, is only a delegated authority intrusted to us by that Supreme Being, who attentively watches over the use we make of it—That whether residing in a body as the people, or in an individual as the King, it is equally subject to the same laws of virtue, fidelity, and honor—That allegiance is as much a duty as protection; and that the subjects of a lawful monarch, who despising all gentler means, seize the rude hand of rebellion, to lop off the too exuberant branches of prerogative, let loose a principle of perfidy and intemperance that may revert upon themselves—That the despotism of the people, though independent of the controul that curbs the despotism of an individual, though independent of every earthly tribunal, and beyond the reach  
of



of human justice and revenge, like every other crime, creates its own punishment, and entails misfortune on itself—That laws that are enacted by violence, must be maintained by oppression — That oppression will beget disgust, dissensions, and animosity— That public wrongs will lead to private injuries—That the violent breach of national faith in seizing the church lands, will cherish violence and outrage in the heart of their country—That a nation is indeed a bankrupt, when all its most respectable citizens are exiles ; and that a constitution acquired by the breach of public faith, allegiance, gratitude, and religion, is built on the ruins of its noblest supporters.

In England we have to boast of a liberty acquired upon very different principles, and by a very different conduct.—Instead of dissolving society, and speculating on abstract propositions of the rights of man, in the midst of anarchy and confusion, we have made, for a succession of ages, a gradual and steady progress to the attainment of our present constitution.—Instead of subverting a whole government and adopting a new system,  
the



the effects of which no human wisdom could foresee, we have uniformly preserved the principle of our old laws, and adapted them as well as we could to the emergencies which have occurred.—In pursuit of freedom we have not madly overturned every barrier of gratitude, allegiance, and religion that obstructed our progress towards it; we have stopped, with veneration, at obstacles that were to be the guardians of our future liberty.—Before we have resolved on measures for its attainment, we have endeavoured to understand the principles of that glorious blessing.—We have never understood by liberty the right of the Many to oppress the Few, the power of insulting our nobles, or the pleasure of decorating our monarchs with the badge of rebellion.—We have never understood by liberty the power of changing, at pleasure, all our laws and customs, the power of annulling the most ancient of our institutions, or the power of levelling the most respectable classes of our citizens; and we have never attempted to relieve our finances by the ruin of any order in our society.—We think, on the contrary, that liberty, to be either permanent, or beneficial,



must be established on very different maxims. When, therefore, we have to amend our laws or modify any of the existing prerogatives or privileges, we do not follow the wild flight of popular opinion, but the steady course of judgement, founded on experience, and regulated by duty. A momentary frenzy against our hereditary nobility, the great bulwark against all infringements of our rights, would not induce our legislature to annul them; and in cool blood we should condemn them if they did. We hold it to be their duty to disregard the transient caprices of the people, and to discharge the weighty trust reposed in them with steadiness and fidelity—As the sacred deposit of national authority we wish them to assume and to embody all our virtues, and to discard and reprobate all our failings; and we would have them in their public proceedings, as just, lenient, merciful, faithful, upright, and religious as the most virtuous of those who are to profit by their conduct and example. Under such circumstances we hope, both from experience and speculation, long to enjoy a rational and well-regulated liberty: With life and property fundamentally secured—arbitrary imprisonment



ment effectually prevented—laws excellent in themselves, and wisely subject to a constitutional mode of amendment—with justice impartially administered—condemnation pronounced with tenderness, and even capable of mitigation—with subordination preserved without servitude—allegiance, duty, and respect flourishing without the spirit of slavery or its vices—with a firm and manly submission to the divine will, and a due sense of the happiness bestowed upon us—with a spirit of toleration, charity and indulgence, and a constant remembrance that as the first duty of a citizen is allegiance to his country, so the first duty of the country is protecting every individual that belongs to it.

I know there are persons in this kingdom who profess opinions very different from these; and I am grieved at it, not because I fear their cabals, but because I could wish that in a virtuous and well-regulated society, like ours, all its members should be happy and contented. I cannot, however, help feeling some resentment towards those few individuals who have so industriously endeavoured to disturb our peace by the circulation of

D Mr.



Mr. Payne's book, and the propagation of the principles contained in it. Mr. Payne's book is perhaps one of the most dangerous publications that ever appeared on any subject ;—calculated to seduce the weak and encourage the disaffected, and written expressly to destroy every existing sentiment of duty, affection and respect ;—it offers us nothing to supply their place that can secure tranquillity and order, on any permanent foundation. When he complains of the grievances under which he supposes this country to labour, he does not point them out with the candor of a man really anxious for our welfare, but with the ingenuity of one bent upon making us discontented. Most of the evils he enumerates are trifling or imaginary :—he laments, for instance, that the law supposes our King never to die, and that it makes him personally incapable of doing wrong—he laments that our house of peers is independent of the people, and, by a new system of justice, would have the body to which the commons appeal for judgment on the criminals they impeach, the creatures of the accusers—he laments that our county members represent counties so unequal in their size ; that

York-



Yorkshire is so much larger than Bedfordshire, and that we groan under the despotism of the appellation of Sovereign Lord the King. He would rather, I suppose, recommend it to us to divide our kingdom into square republics—to degrade our nobles who procured us Magna-Charta—to ruin our clergy that we ought to flock to for consolation, and to renounce our allegiance to a Monarch who deserves every thing from his subjects. According to his doctrine, indeed, of making the virtues and benevolence of a King the signal for revolt, there never was a reign better calculated for rebellion. But ideal grievances and speculative remedies are neither the offspring of a sound judgment or a virtuous disposition.—The former are calculated to make men discontented, whilst the latter are inadequate to make them happy.

In England and in Ireland the great body of the people are sensible of this, and we have ever shewn it by our conduct. We are cautious of exploding systems which have stood the test of ages, and consider the gradual course of progressive amendment as the only one by which we can approach perfection.



We know that desperate remedies against political evils, like violent restoratives in the diseases of nature, though they may answer for the moment, deaden the patient to milder remedies, and make that violence continually necessary which should only be resorted to in the last emergency. We are well aware, that political violence generates the evils of the principle by which it acts, and that in a large country its influence would be dangerous and forcible. Being possessed then of an independent representation, a respectable aristocracy, a mild and limited monarchy, and an indulgent and consoling religion, all our views and wishes tend only to the improvement or modification of these elementary principles which we cherish and revere. In England the people have uniformly endeavoured to maintain them, and even during the short interval between the reigns of the two Charles's, it was the name, and not the power of the crown, which was suspended. A striking lesson; and may we ever remember having incurred the horrors of Rebellion to rid us of a name, and transfer the power that belonged to it, to hands that used it with double rigour. The people of Ire-  
land



land have shewn fully as decided a predilection for their constitution. In the last century they endured every species of hardship to secure themselves a protestant line of succession. In later days, they used every endeavour to render their two houses of parliament independent; and their last struggles were not to annul either, but to regenerate, by a reform, the principles of representation. Though they did not succeed to the extent of their wishes, they did not proceed to violence; but with a patience, moderation, and sagacity, that will transmit honor with their memory to the remotest branches of posterity, they waited for a more favorable opportunity, well knowing that improvements which we mean to be permanent, must be effected by time and discretion, and that advantages which are gained by one revolution may be lost by another.

In these countries (for all human works are dashed with imperfection) the very nature of our system warns us, in some measure, of the miseries of anarchy. The periodical reversion of the power of the house of commons into the hands of the people, teaches  
us,



us, by the cabals, intrigues, factions, animosities and vengeance, often produced by contested elections, the horrors we might expect from a total dissolution of government. If, therefore, we were not attached to our constitution from long experience, and from never having heard of one under which people live so quietly and happily, Mr. Payne would, on this account, find it difficult to make converts of us—but as it is, by preaching such doctrines he only confirms us in our aversion to them; and it is somewhat singular that the inhabitants of that very town \*, which he states in his book to be most disaffected to our government, and most inclined to receive his principles, and even to fly to France to enjoy them, should have gone such violent lengths to discountenance such of their fellow-citizens as had adopted them. But the people of England, though often misled for a time, are naturally loyal and generous, and will never embrace tenets void of duty and humanity;—and those who have wished to attach them to their interests, have always been obliged to engage their af-

\* Birmingham.



fections by some appearance of virtue, or to excite their compassion by some pretence of misfortune.

Mr. Payne endeavours to puzzle us with a long list of evils, but his reasoning is sophistical and superficial. In his attack on the hereditary nobility in England and Ireland, he complains that any distinction should prevail, but what is founded upon superior merit. According to that idea the succession of the kings of the French would be interrupted, whenever the heir to the crown had more than a common share of the imperfections of our nature. In that perfect state in which we are to exist hereafter, I feel confident that virtue will be the only title to an exalted station. But because in this frail world the heart and morals of men do not invariably correspond to their situations, are we to disclaim the whole system of subordination? The crown of England has descended to very vicious and depraved princes, but we have contented ourselves with providing against the effects of their crimes; and though amongst our nobility there have been very profligate and worthless individuals, yet, as

5

a branch



a branch of the legislature, they have ever merited our affection and respect. The hereditary succession to the rank and privileges of peerage is with us neither an object of oppression nor envy, and we glory in having a body of men, the great tribunal before which all our state criminals appear, the ultimate appeal in all contested property, the great guard against the encroachments of the crown, the hereditary counsellors of the King, educated with care and liberality, brought up in the study of treaties, politics, and history, and impressed from their earliest infancy with worthy notions of the importance of their duty—the great stakes they possess in the country we rejoice at, as additional ties on their conduct, and as the greatest possible bond of fidelity we have enacted, that nothing but treason to their country shall prevent them transmitting their honors to their children.

But the destruction of hereditary honors, which Mr. Payne so eagerly contends for, would lead to the subversion of every species of inheritance. Wealth is not more strictly property than rank, and it is only hereditary  
upon



upon the same principles—They are both the creatures of society, and there is no reason why the reward of public services should not, at least, have an equal claim to its protection with the fruits of industry in private life. It is easy to see why revolutionists are the bitter enemies of the laws of succession. All those distinctions and estates which would be no longer hereditary, as they would be unoccupied at the death of the present possessors, would greatly increase the patronage of the reigning power. Those to whom the government of the country was committed, would have perpetual opportunities of gaining new partizans by new favors, and would maintain their situations by a series of bribery and corruption. But this policy, however well adapted to the present necessity of the case, would in the end be found the ruin of the state. Hereditary honors involve in them perhaps a deeper and more complicated wisdom than we are aware of. The aged members of society, from whom alone we can expect the mild and prudent dictates of experience and discretion, being no longer able to transmit the rewards of their good offices to children that they love, would lose the chief

E

stimulus



stimulus to their exertions—they would feel too far advanced in life to venture, for personal profit, into the busy scene of politics, and would prefer devoting the remainder of their days to tranquillity, when their honors could no longer survive them. The paths of power would by this means be laid open to inexperienced adventurers ; the councils of the nation would partake of the intemperance of youth ; and its leaders having no *permanent* interest in its welfare, would propose and undertake every successive change that human fickleness could invent for their present interest and aggrandisement.

Virtuous citizens will ever wish to extend their advantages beyond themselves, and when fathers can no longer benefit the beings they have called into existence, they will have reasonable grounds for discontent.—The industrious expect to bequeath to their children, the produce of their labor, realized in wealth — The brave and intelligent expect to leave their posterity the splendor of their public services, embodied in rank and honors. — A country that prohibits such a legacy, destroys one of the chief sources of its greatness,



ness, and blasts the vital principle of public virtue.

But Mr. Payne and his faction have necessitated themselves to disclaim hereditary succession, by the first principles of their political system.—His maxim, that no one generation can bind another, precludes effectually all hereditary descent.—Giddy, discomfoting opinion, and fit only for that wretched banditti of revolutionists, who are ever greedy of political hurricanes, that they may live on the wrecks of ruined states.—Happily for us, the experienced wisdom of more virtuous politicians, has formed a plan which promises less fluctuating possessions, and more permanent happiness.—As in regulating our public proceedings, we wish to lay aside the frailties of our disposition, so in framing the constitution of our country, we endeavour to remedy the defects of our nature.—We consider ourselves therefore in our collective capacity, as already in possession of that immortality of which we are individually to partake hereafter.—We think that the nation, as one whole, always complete, though always changing, is perfectly capable of making a lasting compact—



That the hourly influx of new citizens derive their claim to its protection, from their adoption of its laws and customs ; and if from any change in the natural or moral world, our constitution should absolutely require to be new modelled, we think that the generation who made the compact of government, would have had just the same plea for breaking it as the remotest of their posterity, —that that plea would be necessity, and necessity alone ;—and we humbly hope, that if ever such a calamity should occur, we shall have leaders possessed of sufficient influence and integrity, to conduct us with temperance and discretion.

It has been asserted by Dr. Price, and maintained by Mr. Payne, that the English nation acquired at the revolution three new rights—to choose their governors, to cashier them for misconduct, and to frame a government for themselves.—The first and last of these supposed acquisitions, may however be discussed under one head, for if they have not acquired a right to elect their governors, they certainly cannot have a right to frame a government for themselves.

Respect-



Respecting the first of these rights, the election of our own governors, surprized as I was at Mr. Payne's publishing so extraordinary an assertion, I was still more so at his attempting to ground it on the spirit of a measure, which expressly disclaims and provides against the exercise of the very right he pretends to derive from it. It is needless for me to quote from the public acts of that day, which have been so lately called to every body's remembrance. Nothing can be stronger worded than the bills which acknowledge and confirm the Protestant succession. But even before these bills were passed, there were not two opinions on the subject. In the various conferences upon the propriety of the expressions, "abdication of King James," and "vacancy of the throne," the opinions of both houses appear marked and evident. Lord Nottingham, on the part of the Lords, tells the Commons, "that though the Lords have agreed that the King had deserted the government, and therefore have made application to the Prince of Orange, to take upon him the administration of the government, thereby to provide for the peace



“ peace and safety of the kingdom, yet there  
 “ can be no inference drawn from thence,  
 “ but only that the exercise of the govern-  
 “ ment by King James the II<sup>d</sup>. is ceased so  
 “ as the Lords were and are willing to se-  
 “ cure the nation against the return of the  
 “ said King into this kingdom, but not that  
 “ there was such an abdication by him, or  
 “ such a vacancy in the throne, that the  
 “ crown was thereby become elective, which  
 “ they cannot agree.” The Commons, in  
 return, answered, “ That there was a pre-  
 “ sent defect of one to exercise the admini-  
 “ stration of government, and that they con-  
 “ ceived the declaring a vacancy, and pro-  
 “ viding for the supply of it, could never  
 “ make the crown elective.” And in ano-  
 ther conference they told the Lords, “ that  
 “ the constitution, notwithstanding the va-  
 “ cancy, was still the same, and that making  
 “ the kingdom elective, was neither meant  
 “ by the Commons, nor could be deduced  
 “ from their words.”

From these extracts it is sufficiently evi-  
 dent, that the leading patriots of the day,  
 considered the hereditary succession to the  
 crown,



crown, as an inviolable law, and as the short deviation from it, that their desperate situation compelled them to was carefully \* limited to the emergency that produced it, it could neither be intended nor considered as a precedent.

The other notion, that we have gained by the revolution a right of cashiering our governors for misconduct, is full as groundless and absurd; besides, the known and wise policy of this country, which transfers responsibility from the crown to its ministers, the revolution parliament cannot be considered as the punishers of King James, but by the grossest misapprehension of their conduct. King James was not dismissed by the parliament; nor was he superseded on account of any incapacity to govern, but because he had abdicated the throne, and that the throne was thereby vacant. The nation's appointing some one to fill up the vacancy, was not to revenge themselves on King James, nor was it intended as a punishment

\* As appears by Queen Anne's issue being preferred in the succession to King William's.



for his offences. The throne was vacant—It was dangerous it should remain so; and the measures adopted to remedy the evil, were not the effect of choice, but of necessity.

If it were possible for the hereditary succession of the crown to be more fully established since the revolution than it seems to have been before, the various acts passed both at that time and since, would strengthen and confirm it. But here Mr. Payne makes his most violent attack on the conduct of the English parliament. No parliament, no set of men whatsoever, can, according to his tenets, bind their heirs. He therefore exclaims against the tyranny of the King, lords and commons of that day, in attempting to establish the hereditary succession of the crown, as one of the first principles and unalterable laws of our social compact;—here however we begin to become acquainted with Mr. Payne, and can trace the sentiment to his desire of infecting us with the wish of change.—In France, where it serves the purposes of faction better, he admires an assembly of usurpers, self-converted into legislators, and justifies their framing a code  
of



of new laws, and deciding on an hereditary monarchy, which no future assembly can ever alter or suppress—but the very same power exerted by a legal assembly, elected like the convention of 1688, for the express purpose of re-establishing our government, and supplying its deficiencies, he calls a right by assumption, which no set of men can ever possess.

Such flagrant contradictions cannot fail of unmasking the propagator of such opposite sentiments.—The justifier and advocate of usurped power, where he can feed the flame of anarchy by his encomiums—The professed enemy of legal power and wise regulations, where he can blow up discontent and confusion by attacking them—Miserable and contemptible office, to intermeddle in the interests of a nation, in which he has no concern, merely to create disaffection, and to cherish sedition at the instigation of a rebellious country to which he does not belong.—We know that the French, dreading that their cruel and oppressive measures should induce other nations to take part against them, have endeavoured to subvert every govern-



ment that is strong enough to oppose them ; and that for this purpose, they have sent emissaries throughout Europe, to propagate the doctrines in other countries, which have destroyed their own.—From such people, however, we have nothing to fear.—The meanness of their office shields us from the mischief of their designs.—But should there be a man base enough to assume the character of a friend, the better to gratify the inveteracy of a cruel enemy, our danger might be great indeed. Should such a one attempt our ruin, he would enlist with eagerness under Mr. Payne, and carefully pursue his line of conduct.—Like him he would affect the utmost concern for the perfecting our government, and insidiously propose means that would be the bane of our tranquility.—Like him he would pass over all those striking properties in our constitution, which secure our happiness on the most lasting basis that wisdom and experience can form, with the frail materials of human nature, and dwell only on trifling evils that have scarce any existence but in the exaggerated portrait he has made of them.—Like him he would hold out for our example, the conduct of a

5

country,



country, which in pursuit of a wild and fanatic liberty, has destroyed all the sentiments and principles that make it worth possessing.—By a new code of rights, he would endeavour to seduce us into the same violation of the laws of property, of which that nation has been guilty. He would endeavour to persuade us to pursue their system of annihilating all those distinctions of society, which give diversity to life, and activity to virtue.—He would recommend to us to adopt their oppression of a respectable church, which was at once the reward of piety and its organ—by an artful representation of imaginary hardships, he would attempt to make us dissatisfied with real benefits, and by the pretended necessity of regenerating our constitution, he would betray us into the loss of all the blessings it affords us.

We are aware that the English constitution, like all human productions, has some weaknesses and imperfections. But we do not wish that they should be perpetually magnified and exposed, because it increases an evil that can never be wholly removed.—Some further regulations in the representation



tion of the people, some trifling alteration in our laws, some reformation in the church, and most of all in the manners of our clergy, would certainly be beneficial. But these are objects which, as they are not essential to our prosperity, we look forward to obtaining by mild and temperate measures; and we await their completion with patience, sensible that the violence of the shock that would give us immediate possession, might very probably introduce much worse evils than those we should eradicate.

F I N I S.

4 OC 58



